

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

A BILL FOR

1 An Act relating to child abuse involving access to a child by a
2 person who is required to register as a sex offender.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.68, subsection 2, paragraph a,
2 subparagraph (9), Code 2017, is amended to read as follows:

3 (9) ~~Knowingly~~ A person who is responsible for the care of
4 a child knowingly allowing a person an individual custody or
5 control of, or unsupervised access to, a child or minor child
6 under the age of fourteen or a child with a physical or mental
7 disability, after knowing the person individual is required to
8 register or is on the sex offender registry under chapter 692A
9 for a violation of section 726.6. This subparagraph does not
10 apply in any of the following circumstances:
11 (a) A child is living with a parent or guardian who is a sex
12 offender required to register on the sex offender registry.
13 (b) A child is living with a parent or guardian who is
14 married to and living with a sex offender required to register
15 on the sex offender registry.
16 (c) When the sex offender with custody, control, or
17 unsupervised access is also a child who lives with the child to
18 whom access was allowed.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill amends the definition of "child abuse" in Code
23 chapter 232, relating to juvenile justice.

24 Under current law, "child abuse" is defined to include
25 knowingly allowing a person who is required to register or is
26 registered on the sex offender registry for a violation of Code
27 section 726.6 (child endangerment) custody or control of, or
28 unsupervised access to, the child. Code chapter 232 defines a
29 "child" as any person under the age of 18.

30 The bill changes current law to provide that child abuse
31 includes a person who is responsible for the care of a child
32 knowingly allowing an individual custody or control of, or
33 unsupervised access to, a child under the age of 14 or a
34 child with a physical or mental disability, after knowing the
35 individual is required to register or is on the sex offender

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1 registry. The bill provides exceptions for when a child is
2 living with a parent or guardian who is a sex offender, a
3 child is living with a parent or guardian who is married to
4 and living with a sex offender, and when the sex offender with
5 custody, control, or unsupervised access is also a child who
6 lives with the child to whom access was allowed.